

REMARKS/ARGUMENTS

Applicants have received the Office Action dated September 20, 2007, in which the Examiner rejected claims 1-19 under 35 U.S.C. § 102(e) as being allegedly anticipated by Fuh et al. (U.S. Pat. No. 6,463,474, hereinafter "Fuh"). With this Response, Applicants have amended claims 1, 5-11, 13, 18, and 19 and have submitted new claim 20. Based on the amendments and arguments contained herein, Applicants believe this case to be in condition for allowance.

Fuh is directed to "a method of controlling access of a client to a network resource using a network device that is logically interposed between the client and the network resource." Col. 3, ll. 1-4. Fuh further explains that the network device contains client authorization information that specifies whether a particular client is permitted access to the network resource. Col. 3, ll. 6-8. The network device receives a request from the client and compares the request to the client authorization information to determine if the client should be permitted access to the network resource. Col. 3, ll. 11-18. The network device, interposed between the client and the network resource, is thus a "traffic cop" that decides whether to let the client request pass through to the network resource.

Claim 1 is substantially different. Claim 1 requires, in part, "a data communication means for periodically polling said agent"...and for retrieving a user access list from said agent." The user access list retrieved from the agent is then, per the claim, compared to an "authorized access list." Fuh does not teach periodically polling as part of the traffic cop function performed by the network device. Instead, Fuh's network device does nothing until it receives a client request for a network resource. Fuh does not periodically poll the client or the network resource to control access to the resource.

Further, Fuh does not retrieve, periodically or otherwise, a "user access list" from an agent in the client, as is required by claim 1. Fuh has no need to obtain a user access list (because Fuh's network device intercepts all requests for the network resource), which specifies which users have been accessing the service node, because Fuh is not a polling-based system. Rather, in Fuh all resource access requests must pass through Fuh's network device in order to be

authorized. Thus, Fuh has no need to receive, and in fact does not receive, a user access list from a client, which one of ordinary skill in the art would clearly understand is substantially different than the underlying network resource requests.

The last clause of claim 1 has been amended purely for clarification and not to narrow the claim or for reasons of patentability. The last clause of claim 1 specifies “a data processing means for comparing said user access list to said authorized access list and for updating said authorized access list based on the user access list retrieved from said agent.” Fuh does not at all teach updating an authorized access list based on a user access list retrieved from an agent.

For any or all of these reasons, Applicants respectfully submit that claim 1 and all claims dependent thereon are allowable over Fuh.

Claim 5 has been amended to correct a possible antecedent basis issue regarding the word “steps.” This word has been replaced by “method” and corresponding amendments have been made to dependent claims 6-11. Further, clause (c) in claim 5 has been amended for clarity, and not to narrow the claim or for reasons of patentability.

Claim 5 requires “periodically polling an agent and retrieving said user access list...from said service node in said data network.” As explained above, Fuh does not teach a polling mechanism. Further, per amendment to claim 5, the user access list retrieved from the service node “identifies a plurality of accesses to said service node.” Newly added claim 20 depends on claim 1 has a similar limitation. Because Fuh is not a polling-based system and Fuh’s network device intercepts all accesses for the network resource, Fuh has no need for, and thus lacks, any such user access list being retrieved from a service node.

For these reasons, claim 5 and its dependent claims are in condition for allowance. Dependent claim 6 requires updating the authorized access list based on said user access list retrieved from the service node. Fuh lacks any teaching whatsoever of updating a user access list.

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Amdt. dated January 21, 2008
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Claim 13 is patentable for some or all of the same reasons specified above. For example, claim 13 requires polling the agent to retrieve the agent's user access list, a feature which is missing from Fuh.

In claim 18, "storage means" has been amended to "means for storing..." to ensure compliance with 35 U.S.C. § 112, sixth paragraph. Claim 18 also requires polling which, as explained above, is missing from Fuh. Claim 18 also requires updating the authorized access list based on the user access list from the agent. Again, Fuh lacks such a teaching. For at least these reasons, claims 18 and 19 are allowable over Fuh.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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